



California Regional Water Quality Control Board

San Diego Region



Ferry Tamminen
Secretary for
Environmental
Protection

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<http://www.swrcb.ca.gov/rwqcb9>

Arnold Schwarzenegger
Governor

January 30, 2004

CERTIFIED – RETURN RECEIPT REQUESTED
7003 1680 0000 7393 6117

Ms. Candace Gibson
Solid Waste Management
Department of Public Works
County of San Diego
5201 Ruffin Road, Suite D (M.S. 0383)
San Diego, CA 92123

In reply refer to:
LD:06-0362.02

Dear Ms. Gibson:

**RE: ORDER NO. R9-2004-0038: TECHNICAL EVALUATION OF LANDFILL
COVER AT PALOMAR AIRPORT LANDFILL, SAN DIEGO COUNTY**

Enclosed is a copy of California Regional Water Quality Control Board, San Diego Region ("Regional Board") Order No. R9-2004-0038 requiring that the County of San Diego provide the Regional Board with a technical evaluation of the impacts from the proposed project to demolish Hanger 3 on waste management unit no. 1 (Unit 1) at the Palomar Airport Landfill. I strongly urge your prompt compliance with all the directives of Order No. R9-2004-0038.

Provided that the County of San Diego complies with the requirements of Order No. 96-13 (and addenda thereto) and the enclosed Order No. R9-2004-0038, the RWQCB has no further comments on the proposed project. If you have any questions regarding this matter, please contact Mrs. Amy Grove of my staff at (858) 637-7136 or via e-mail at grova@rb9.swrcb.ca.gov.

Sincerely,

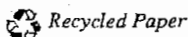
JOHN H. ROBERTUS
Executive Officer

JHR: jro: alg

Enclosure: WC13267 Order R9-2004-0038: Palomar Airport Landfill Hanger 3 Demolition Project

cc: Ms. Kerry McNeill, Supervising Environmental Health Specialist, County of San Diego, Local Enforcement Agency, 9325 Hazard Way, San Diego, CA 92123-1217

California Environmental Protection Agency



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ORDER NO. R9-2004-0038

**TECHNICAL REPORT OF RESULTS
FROM AN EVALUATION OF THE INTEGRITY OF THE LANDFILL COVER
FROM THE DEMOLITION OF HANGER 3 ON UNIT 1,
AT THE PALOMAR AIRPORT LANDFILL
SAN DIEGO COUNTY**

The California Regional Water Quality Control Board, San Diego Region (hereinafter the RWQCB) finds that:

1. The RWQCB issued Order No. 96-13 (and addenda thereto) to the County of San Diego as the discharger responsible for monitoring and maintenance at the Palomar Airport Landfill.
2. The Palomar Airport Sanitary Landfill operated from 1962 to 1975. Three canyons were carved into the south side of the mesa forming part of the upper drainage area of Canyon de las Encinas. These canyons served as individual refuse disposal areas for the landfill and are designated from west to east, Unit 1, Unit 2 and Unit 3.
3. The County of San Diego estimated that waste management unit 1 ("Unit 1") operated from 1962 to 1968. The area, volume of fill and depth of fill have been calculated for Unit 1 based upon comparison of topographic maps. For Unit 1, the estimated area is 9 acres and the volume of fill is 214,000 cubic yards of wastes.
4. The Basin Plan establishes the following beneficial uses for the waters of the Encinas Hydrologic Area (4.40) of the Carlsbad Hydrologic Unit:
 - a. **Inland Surface Waters**
 1. Water contact recreation*
 2. Non-contact water recreation
 3. Warm fresh-water habitat
 4. Wildlife habitat
 - b. **Ground Water**
 1. Municipal and domestic supply**

Note: *Potential beneficial use.

**Excepted from Municipal use designation under the terms and conditions of State Board Resolution No. 88-63, *Sources of Drinking Water Policy*.

5. On April 30, 2002, the RWQCB received an annual groundwater monitoring report for the Palomar Airport Landfill including a report of an unpermitted discharge of polluted groundwater (liquid wastes containing volatile organic compounds) from a subdrain pipe located off the airport facility and south of waste management unit 1 ("Unit 1"). The

Regional Board has received additional information estimating that the discharge is occurring at a rate of approximately 1.5 gallons per minute (gpm). Subsequent information, communicated to the Regional Board by telephone, indicates the subdrain pipe collects polluted groundwater from an area located in near the southern edge of Unit 1 at the Palomar Airport Landfill.

6. On September 6, 2002, the RWQCB issued a notice of violation (NOV Order No. R9-2002-0300) to the County of San Diego for failure to file a Report of Waste Discharge (RWD), violation of Basin Plan discharge prohibitions, and failure to obtain waste discharge requirements before initiating a new discharge (identified in Finding No. 5 above) of wastes that may affect the quality of water resources in the San Diego Region.
7. The integrity of the landfill cover system is important in the effectively diverting stormwater runoff and reducing/eliminating infiltration of surface water into the wastes contained in Unit 1. Further infiltration of surface water into Unit 1 is likely to exacerbate the mobilization of soluble waste constituents into groundwater beneath Unit 1. Further discharge(s) of waste constituents into groundwater could also result in further discharges of waste constituents into the subdrain system identified in Finding No. 5 above.
8. On December 10, 2003, the RWQCB received a proposed workplan for the Demolition of Hanger 3 on "Unit 1A" at the Palomar Airport Landfill.
9. On January 15, 2004, the RWQCB sent comments on the proposed workplan to the discharger responsible for compliance with waste discharge requirements (Order No. 96-13 and addenda thereto) for the Palomar Airport Landfill. The RWQCB's written comments were primarily concerned with the implementation of effective storm water controls/BMPs and the potential impact of the proposed project upon the existing landfill cover system.
10. On January 21, 2003, the RWQCB received a revised proposed workplan for the Demolition of Hanger 3 on Unit 1A at the Palomar Airport Landfill. The proposed revised workplan was prepared by ASC West Corporation and transmitted by the County of San Diego. The proposed workplan did not contain a task to compile and submit a technical evaluation of potential effects, of the proposed Hanger 3 demolition project, upon the long-term integrity of the existing landfill cover at Unit 1. Such a technical evaluation is necessary for the RWQCB to assess the need for any additional post construction monitoring and/or maintenance activities for Unit 1.

IT IS HEREBY ORDERED, that pursuant to section 13267 of the Water Code:

The County of San Diego (the discharger) shall prepare and submit a technical report to the RWQCB by June 30, 2004. The report must contain the following minimum information:

I. REQUIRED TECHNICAL EVALUATION

The discharger shall provide the RWQCB with a written report including the following minimum information:

- A.) A synthesis of the available information into a technical evaluation of the potential for the proposed project to create preferential pathways for water infiltration into Unit 1 at the Palomar Airport Landfill.
- B.) A clear conclusionary statement regarding the potential creation of preferential pathways for water infiltration as a result of completing the proposed Hanger Demolition Project on "Unit 1" at the Palomar Airport Landfill.
- C.) A registered professional (*e.g.*, a Civil Engineer or Certified Engineering Geologist registered in the State of California) must sign the written synthesis of geotechnical information and a clear conclusionary statement.

II. SIGNATURE REQUIREMENTS FOR TECHNICAL REPORT

- A.) Reports submitted to the RWQCB shall be signed as follows:
 - 1) For a corporation – by a principal of at least the level of vice-president.
 - 2) For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
 - 3) For a municipality, state, federal or other public agency – by either a principal public administrator or ranking elected official.
- B.) The written reports and other information required by the RWQCB shall be signed by a person designated in Section II.A. of this Order, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:
 - 1) The authorization is made in writing by a person described in Section II.A of this Order;
 - 2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated solid waste facilities or waste management activity; and
 - 3) The written authorization is submitted to the RWQCB.

C.) Use of Registered Professionals.

The discharger shall provide documentation that plans and reports required under this Order are prepared under the direction of appropriately qualified professionals. California Business and Professions Code Sections 6735, 7835 and 7835.1 require that engineering and geologic evaluations and judgments be performed by or under the direction of registered professionals. A statement of qualifications and registration numbers of the responsible lead professionals shall be included in all plans and reports submitted by the discharger. The lead professional shall sign and affix their registration stamp to the report, plan or document.

D.) Any person signing a document under this Sections II.A. or II.B. above shall make the following certification:

"I certify under penalty of law, that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

III. PROPOSED HANGER 3 DEMOLITION PROJECT ON UNIT 1

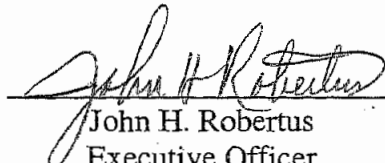
The RWQCB has no objection to the completion of the proposed Hanger 3 Demolition Project, provided the discharger meets the following conditions:

- A.) The completed project, the subsequent maintenance thereof, and subsequent operations at the facility must comply with the requirements of Order 96-13 and addenda thereto.
- B.) By **June 30, 2004**, the RWQCB receives the required synthesis of technical information, technical conclusions, and certification thereof by an appropriately registered professional as required in Sections I and II of this Order. The RWQCB has no objection to the discharger(s) proceeding with the proposed project prior to the submittal of the required information.
- C.) All technical and monitoring reports, as required by this Order, shall be submitted to the RWQCB at the following address:

Executive Officer
California Regional Water Quality Control Board – San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340
ATT: Land Discharge Unit Supervisor

IV. NOTIFICATIONS

- A.) In order to assist the RWQCB in processing of correspondence and reports submitted in compliance with this Order, the discharger shall include the following code number in the header or subject line portion of all correspondence or reports submitted to the RWQCB, FILE No.: LD:06-0362.02.
- B.) Failure to comply with this Order may result in a civil liability being assessed by the RWQCB under authority of Sections 13268 of the California Water Code (CWC). The CWC provides that any person failing or refusing to furnish technical or monitoring program reports required under Section 13267(b) is guilty of a misdemeanor and may be subject to administrative civil liabilities up to \$1,000 per day of violation. The Superior Court may impose civil liability of up to \$5,000 per day of violation.


John H. Robertus
Executive Officer
January 30, 2004